

**PROFESSIONAL LICENSURE DIVISION[645]**

**Adopted and Filed**

**Rule making related to licensure**

The Board of Mortuary Science hereby amends Chapter 101, “Licensure of Funeral Directors, Funeral Establishments, and Cremation Establishments,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 147.44.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapters 147 and 156.

*Purpose and Summary*

Iowa Code section 17A.7 requires each state agency to conduct a comprehensive review of all of the agency’s rules to eliminate outdated and redundant rules. These amendments update the Board’s rules to align with current Professional Licensure Division practices. The amendments remove the notarization requirement for foreign-trained funeral directors and update the process for verifying endorsement applications.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on November 16, 2022, as **ARC 6663C**. A public hearing was held on December 7, 2022, at 8:30 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Division on March 2, 2023.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Division are subject to the waiver provisions accorded under 645—Chapter 18.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on July 5, 2023.

The following rule-making action is adopted:

ITEM 1. Amend paragraph **101.2(3)“b”** as follows:

*b.* Provide a ~~notarized~~ copy of the certificate or diploma awarded to the applicant from a mortuary science program in the country in which the applicant was educated.

ITEM 2. Amend subrule 101.6(3), introductory paragraph, as follows:

**101.6(3)** The applicant shall provide verification of ~~license(s)~~ license from ~~every the~~ every the jurisdiction in which the applicant has most recently been licensed, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification direct from the jurisdiction’s board office if the verification provides:

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 5/31/23.